

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

----- x  
UTC ASSOCIATES INC. :  
: Plaintiff, :  
: : 15 Civ. 5795 (VEC) (RLE)  
- against - :  
: : **NOTICE OF MOTION TO DISMISS**  
GLOWPOINT INC., :  
: :  
: Defendant. :  
----- x

**PLEASE TAKE NOTICE** that, upon the Declaration of Harry H. Rimm, executed on November 2, 2015, and the exhibit thereto, and the accompanying Memorandum of Law in Support, and all prior pleadings and proceedings had herein, defendant Glowpoint, Inc. will move this Court, before the Honorable Valerie E. Caproni, 40 Foley Street, Courtroom 443, New York, New York, for (i) an Order, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, dismissing the amended complaint in its entirety and with prejudice; and (ii) such other and further relief as this Court deems just and proper.

**PLEASE TAKE FURTHER NOTICE** that, pursuant to Rule 6.1(b) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, any opposing affidavits and answering memoranda shall be served within 14 days after service of this motion.

Dated: New York, New York  
November 2, 2015

**SULLIVAN & WORCESTER LLP**

By: /s/Harry H. Rimm  
Harry H. Rimm  
Clark Freeman

1633 Broadway  
New York, New York 10019  
Telephone: (212) 660-3000  
Facsimile: (212) 660-3001  
*Attorneys for Defendant Glowpoint, Inc.*